REMARKS

The Examiner rejected Claims 11 and 15-22 under 35 U.S.C. §112, first paragraph, and rejected Claims 5, 10, 11, and 15-22 under 35 U.S.C. §112, second paragraph. The Examiner rejected claims 18-20, 35, and 44 for using language that renders the claims as indefinite. The Examiner rejected Claims 1-14 and 23-44 under 35 U.S.C. §101 as directed to non-statutory subject matter, rejected Claims 1, 2, 6-10, 12, and 13 under 35 U.S.C. §102(e) as being anticipated by U.S. Published Patent Application No. 2003/0167175 to Salom ("Salom"), and rejected Claims 15-17 and 19-22 under 35 U.S.C. §102(b) as being anticipated by U.S. Published Patent Application No. 2002/0059076 to Grainger et al. ("Grainger"). The Examiner rejected Claims 23-26, 30, and 32-45 under 35 U.S.C. §102(e) as being anticipated by U.S. Published Patent Application No. 2003/0144970 to Coyne ("Coyne"), rejected Claims 3-5 and 11 under 35 U.S.C. §103(a) as being obvious over Salom, and rejected Claim 14 under 35 U.S.C. §103(a) as being obvious over Salom in view of Grainger. The Examiner rejected Claim 18 under 35 U.S.C. §103(a) as being obvious over Grainger in view of U.S. Published Patent Application No. 2003/0074354 to Lee et al. ("Lee") and rejected Claims 27 and 28 under 35 U.S.C. §103(a) as being obvious over Coyne. Finally, the Examiner rejected Claim 29 under 35 U.S.C. §103(a) as being obvious over Coyne in view of Hansen, Michael Schacht and Dorup, Jens, "Wireless access to a pharmaceutical database: A demonstrator for data driven Wireless Application Protocol applications in medical information processing" J. Med. Internet Res. 2001 Jan-Mar; 3(1): e4 ("Hansen") and rejected Claim 31 under 35 U.S.C. §103(a) as being obvious over Coyne in view of Grainger.

In response, Applicant has canceled Claims 1-14, 18, and 23-46 and amended Claims 15,

19, 20, and 22. Specifically, Applicant has amended Claim 15 to incorporate the limitation of Claim 18 and to require that the data processing means allows multiple users to access and to amend the data structures in a single session. Support for the amendment can be found on page 25, lines 22-32.

Applicant has also amended Claims 19 and 20 to remove the terms "such as," "and the like," and "for example." With regard to Claim 22, Applicant has amended the claim to more clearly define the invention as a system.

The Examiner rejected Claims 15-22 under 35 U.S.C. §112, first paragraph, for failing to comply with the enablement requirement, stating that the specification does not describe adequate structure with regard to the language "input means for" and "output means for" used in Claims 15 and 22. The Examiner also asserts that the specification does not describe adequate structure with regard to the term "means for real time communication" used in Claim 18. Applicant respectfully disagrees.

Page 10, lines 23-30 of Applicant's specification (as numbered on the specification itself) enumerates some of the possible structures that can be used as output means (see also item 18, Fig. 2). Specifically, the specification notes that printers, plotters, disc drives, tape drives, CD writers, hard drives, or remote communication links may be used as output means. This disclosure would have been sufficient to enable one of skill in the art to make and use the invention.

Page 24, lines 30-32 of the Applicant's specification also describe some of the possible structures that can be used as input devices, e.g., a keyboard and mouse (see item 16, Fig. 2). This disclosure would also have been sufficient to enable one of skill in the art to make and use the invention.

With regard to Claim 18, page 11, lines 4-9 of the specification describe several possible types of means for communicating on a real time basis. Specifically, Applicant discloses using video conferencing, internet telephone, and text-based messaging as means that allow real time discussion of modification and implementation of projects between different users. When this is contrasted with the *non-real time* communication means described in lines 10-20 of that same page, it becomes clear that a person of skill in the art would have understood what the invention is and also how to make and use it.

The Examiner rejected Claims 15-21 under 35 U.S.C. §112, second paragraph, for failing to particularly point out and claim the subject matter regarded as the invention. With regard to Claim 15, the Examiner asserts that the terms "data storage means" and "data processing means" do not provide adequate structure to define the invention. However, page 10, lines 25-27 of the specification state that data storage device can be a disc drive, tape drive, hard drive, CD-writer, or other such devices. Given the Applicant's description of the possible devices that may be a "data storage device," it is clear that the "data storage means" language of Claim 15 includes data storage devices such as disc drives, tape drives, hard drives, and CD-writers.

Further with regard to Claim 15, page 24, lines 28-30 of the specification disclose that the system includes a computer processor (see also item 14 of Figure 2). Page 25, lines 10-22 of the specification also describe some of the possible functions of the processor, e.g., retrieving and forwarding documents and monitoring amendments to the documents. Since the specification clearly describes a "data processing means" as including a computer processor, Claim 15 is not indefinite.

Moreover, with regard to the Examiner's assertion that the specification has inadequate

disclosure of structure for the terms "input means for" and "output means for," Applicant reasserts the previous argument that printers, plotters, disc drives, tape drives, CD writers, hard drives, or remote communication links may be used as output means and that a keyboard and/or mouse may be used as input devices.

Applicant has incorporated the limitation of Claim 18 into Claim 15, requiring that the means for real time communication be video conferencing or text-based messaging. The Examiner had previously rejected Claim 18 over Grainger in view of Lee, citing Lee for the proposition that it would have been obvious to modify the system using real time communication. Lee discusses the idea of real time communication between individuals but does not describe how such collaboration is to be carried out. Specifically, Lee does not teach or suggest using text-based messaging or video conferencing as part of an overall system to facilitate the real time exchange of ideas.

Finally with regard to Claim 15, Applicant has also amended the claim to require that the data processing means allows two or more users to access and amend the data structures in a single session. Neither Grainger nor Lee teaches or suggests this type of concurrent use.

Claim 17 is patentable at least for its dependency on Claim 15. Further with regard to Claim 17, Applicant reiterates the arguments that a computer processor may be used as the data processing means and that a keyboard and/or mouse may be used as an input device.

Claim 19 is patentable at least for its dependency on Claim 15. The Examiner asserts that the term "non-real time communication means" does not provide adequate structure. However, page 11, lines 20-22 of the specification describe several possible structures that may function as a non-real time communication means, e.g., e-mail or web-mail facilities. Since the specification describes the types of communications that allow the users to communicate with each other in a

non-real time fashion, Claim 19 is not indefinite.

Claim 20 is patentable at least for its dependency on Claim 15. The Examiner asserts that the term "access regulation means" does not provide adequate structure. However, page 11, lines 21-24 of the specification teach that system privileges, password protection, or other measures may be used as "access regulation means." Further, page 9, lines 14-21 of the specification describe how such access regulation means can be used to restrict access to the database or system only to those who have the necessary privileges. Since the specification describes the types of devices that may be used as access regulation means, on what types of systems they can be used, as well as who can use such a system, Claim 20 is not indefinite.

The Examiner asserts that Claim 22 is indefinite under 35 U.S.C. §112, second paragraph, for failing to claim the subject matter regarded as the invention. With regard to Claim 22, in addition to amending the claim to better define the invention as a system, Applicant reiterates the previous arguments that show support in the specification for the language "data storage means," "data processing means", "input means for," and "output means for." Since the specification shows specific examples of input means (a keyboard, a mouse), output means (plotters, printers, disc drives, tape drives, CD writers, hard drives), storage means (disc drives, tape drives, CD writers, hard drives), and data processing means (a computer processor), Claim 22 is not indefinite.

The Application should be in condition for allowance. The requisite fee for a three month extension of time is being filed herewith in connection with the filing of this Amendment and Response. The Commissioner is hereby authorized to charge any deficiency to Deposit Account No. 503982 of Momkus McCluskey, LLC.

Respectfully submitted,

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